

### **REMARKS**

This is in full and timely response to the non-final Official Action of June 26, 2008. Reexamination in light of the following remarks is respectfully requested. No new matter has been added. Claims 1, 4, 5, 8-11, and 14-17 are currently pending in this application, with claims 1 and 11 being independent.

#### **I. Claim Rejections – 35 U.S.C. § 103**

Claim 1, 4-5, 8-11 and 14-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Baxter et al. (US 20030229637; pub. date: Dec. 11, 2003) in view of Horn (US 20040177319; pub. date: Sep. 09, 2004).

##### **1. Claim 1**

Claim 1 is directed to a file managing apparatus for managing files recorded on a recording medium by resorting to an index file recorded on said recording medium; wherein said index file is formed by a series of entries constituted by blocks of extract information about said files, said extract information being arranged to correspond with said files; wherein hierarchy management information which is set for each of said entries and which primarily points to another entry is provided to express a hierarchical structure of said files recorded on said recording medium; and wherein an entry for temporary management is provided under which a file to be deleted is stored temporarily; wherein, in said index file, said extract information is grouped by attribute into a thumbnail image group which is a group of thumbnail images, a text group which is a group of titles in text, and a property group which is a group of properties for managing said thumbnail image group and said text group; wherein in said property group, entries concerning said files are furnished with entry-related management information pointing to the corresponding entries in said thumbnail image group and said text group, and with file-related management information pointing to the corresponding files; wherein, when deletion of one of said file is instructed, said file managing apparatus changes, with keeping said entry-related management information and said file-related management information which is set for said file to be deleted unchanged, the hierarchy

management information which is set for the entry of said file to be deleted, in such a manner that said hierarchy management information points to said entry for temporary management; and wherein said file managing apparatus includes a display unit to display said extract information about said entry furnished with said hierarchy management information which has been changed so as to point to said entry for temporary management, so that said file managing apparatus accepts processing of the file associated with said entry about which said extract information is displayed.

Baxter et al. arguably teaches a method and apparatus for safeguarding files. In a first embodiment of Baxter et al., a file to be safeguarded on a first computer is copied to a second computer and is deleted from the first computer, and in a second embodiment thereof, a file is copied to a second computer to safeguard the file, but not deleted from the first computer. Horn arguably teaches a computer system for automatic organization, indexing and viewing of information from multiple sources.

On the other hand, in the Applicant's claimed invention, even when deletion of a file is instructed, the entry-related management information and the file-related management information which is set for the file, is not changed, but the hierarchy management information which is set for the file to be deleted, is changed so as to point to the entry for temporary management. That is, in the present invention, the file to be deleted is not actually deleted but only the hierarchy management information is changed in such a manner that said hierarchy management information points to said entry for temporary management while in the first embodiment of Baxter et al., the file to be deleted is deleted from the first computer.

In the second embodiment of Baxter et al., deletion of a file is not instructed, but the file on the first computer is merely copied to the second computer. Thus, it is not taught that when deletion of a file is instructed, the hierarchy information is changed in such a manner that the hierarchy management information points to said entry for temporary management while the entry-related management information and the file-related management information is not changed.

Moreover, Horn fails to disclose, teach or suggest that when deletion of one of said file is instructed, said file managing apparatus changes the hierarchy management information which is set for the entry of said file to be deleted, in such a manner that said hierarchy management information points to said entry for temporary management.

Thus, the applied art fails to disclose, teach or suggest that “when deletion of one of said file is instructed, said file managing apparatus changes, with keeping said entry-related management information and said file-related management information which is set for said file to be deleted unchanged, the hierarchy management information which is set for the entry of said file to be deleted, in such a manner that said hierarchy management information points to said entry for temporary management.” Accordingly, withdrawal of the rejection and allowance of the claim is respectfully requested.

## **2. Claims 4, 5, 8-10, and 14-16**

Applicants respectfully submit that since claims 4, 5, 8-10, and 14-16 depend on claim 1, they are allowable for at least the reasons that claim 1 is allowable respectively and they are further allowable by reason of the additional limitations set forth therein. Accordingly, withdrawal of the rejection and allowance of the claims is respectfully requested.

## **3. Claim 11**

Claim 11 is directed to a file managing method for managing files recorded on a recording medium by resorting to an index file recorded on said recording medium; wherein said index file is formed by a series of entries constituted by blocks of extract information about said files, said extract information being arranged to correspond with said files; wherein hierarchy management information which is set for each of said entries and which primarily points to another entry is provided to express a hierarchical structure of said files recorded on said recording medium; and wherein an entry for temporary management is provided under which a file to be deleted is stored temporarily; wherein, in said index file, said extract information is grouped by attribute into a

thumbnail image group which is a group of thumbnail images, a text group which is a group of titles in text, and a property group which is a group of properties for managing said thumbnail image group and said text group; wherein in said property group, entries concerning said files are furnished with entry-related management information pointing to the corresponding entries in said thumbnail image group and said text group, and with file-related management information pointing to the corresponding files; said file managing method comprising the step of changing the hierarchy management information which is set for the entry of said file to be deleted, in such a manner that said hierarchy management information points to said entry for temporary management, with keeping said entry-related management information and said file-related management information unchanged when deletion of said file is instructed.

Similarly to claim 1, Baxter fails to disclose, teach or suggest that “the step of changing the hierarchy management information which is set for the entry of said file to be deleted, in such a manner that said hierarchy management information points to said entry for temporary management, with keeping said entry-related management information and said file-related management information unchanged when deletion of said file is instructed.” Accordingly, withdrawal of the rejection and allowance of the claim is respectfully requested.

#### **4. Claim 17**

Since claim 17 depend on claim 11, it is allowable for at least the reasons that claim 11 is allowable and it is further allowable by reason of the additional limitations set forth therein. Accordingly, withdrawal of the rejection and allowance of the claims is respectfully requested.

### **III. Conclusion**

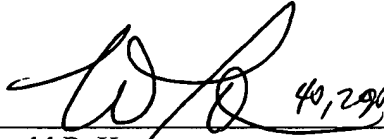
In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action.

However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-3114 from which the undersigned is authorized to draw.

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